IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929

LA.App..No. 645 of 2004()

LAR.293/2000 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANTS: RESPONDENTS:-
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1. STATE OF KERALA.

2. THE EXECUTIVE ENGINEER,
N.H.DIVISION, KOZHIKODE.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENT: CLAIMANT:-

P.K.UNNIKRISHNAN NAIR,
S/O. MEENAKSHI AMMA, `KAUSTHUBHAM' HOUSE,
P.O. MALIKKADAVU, KRISHNAN NAIR ROAD, KOZHIKODE.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 05/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH,

&

T.R.RAMACHANDRAN NAIR, JJ.

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LAA.No. 645 of 2004-A.

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Dated this the 5th day of June, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is against the judgment and decree in LAR.No.293/2000 on the file of the Sub Court, Kozhikode. The acquisition is for the purpose of Kozhikode bye pass. The reference court fixed the land value at Rs.60,000/- for garden land and Rs.57,000/- for wet land. Section 4(1) notification in respect of the acquired land for the same purpose and covered by LAA.No.774/2006 is in the year 1993, whereas Sec.4(1) notification in the instant case is in 1998. This Court has fixed land value at Rs.60,000/- per cent for wet land in LAA.No.774/2006. For parity of reasons, this appeal is dismissed since the value fixed for the garden land is only Rs.60,000/- and that for wet land Rs.57,000/- per cent.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-